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A JEWISH-PERSIAN LAW REPORT.

THE following document, which was acquired by the Bodleian Library some years ago, has several features of interest. It is dated Shebat of the year of contracts 1332, which corresponds to 1020 A. D., and emanates from the Jewish community of Hormshir in Khuzistan. The Arabic name for this place, Ahwaz, is more familiar; and a fairly lengthy description of it is given in Ainsworth's *Narrative of the Euphrates Expedition*, ii. 218-232. In the rather lengthy article which Yakut devotes to this place, the wealth, the avarice, and the stupidity of the inhabitants are insisted on; and it is possible that all three qualities may find some illustration in the present text. The Jewish-Persian dialect almost always presents some difficulty to the interpreter, and in this report it is of greater obscurity than usual. It is, however, probable that the general sense will be found to have been correctly made out, and it may be hoped that other scholars may contribute to the elucidation of the difficulties that remain.

The Number of the MS. is Heb. b. 12; of the document fol. 24.

1 אידון בוד אפישאימאן סהראן וכט מאן אזיר אין מחצר נבישתה
היסת פא הורמשיר שהר

ایدون بود آپیش ایمان سهدان وخط مان ازیر این محضر نیشته هست پا
هرمشیر شهر

2 אז צימלא כונסתאן בו איסתארא היסת אורדור יאולי פא מהיאן
ישבט סאל אלשלב למנין שטרות

از جمله خوزستان کو استاده هست اوردور اولی پا مهیان שבט سال ۱۳۳۲
لمנין שטרות

3 חצרא בודונד אפיש מאן חנה בת ישראל בן יעקוב נוחו עדן
ואחצרא בורד אדניאל בן ראובין ועזריהו מערוף

حضراً بودند آپیش مان حנה בת ישראל . . . واحضار کرد ادنیال بن راوبین
وعزریهو معروف

4 פא בצא ואידון נופת אין חנה בת ישראל בו שוד היסת אין דניאל
בן ראובין ודאמאדום אבי פירמאנום ואבי

پا بچا وایدون گفت این حנה בת ישראל کو شد هست این دنیال بن
راوبین ودامادُم ابي فرمائُم وابی

- 5 שהותום וכנר אז מרא ובראדראנום ופא מיצד דינר נשש צופתדר
ופרוכת פא ביסת ופנז דינאר ואין מרא
שהוּמ וקנד אז מרא ובראדראמ ופא מיצד שש שֻׁמְדִּיר ופִּרוּחַת פִּא בִּיסַת ונִיֵּי
דינאר ואין מרא
- 6 מילך ובראדראנום בוד סהל ויוסף וסעיד בני ישראל בן יעקוב נוחו
עדן וגופתונדאש פיראן כו בד כורדי אין
ملك وבראדראמ بود سهل ويوسف وسعيد بني ישראל بن يعقوب وگفتندش
پران کو بد کردی این
- 7 כורדי כו דסת אנדרבורדי פא מילך יצור אז כודית ונאחלאלית היסת
פאין וכורדי וצואב דאד כו פא
کردی کو دست اندرکردی پا ملك چور از كُديت وناحلايت هست پايين
وكردي وچواب داد كو پا
- 8 צורא כורדום אז דסת ודילום כו מופתלא בודום וגופתונדאש פיראן
כו נאניב היסת אורתו דניאל בן ראובין
ضروره كُردم از دست وديلم كو ميټلا بُوْدَم وگفتندش بران كو واجب هست
اور تو دنيאל بن راوبين
- 9 עוציש דאדן ואחולא כואסתן אז כוראונדאן ימילך וגופת אין דניאל
בן ראובין כו תוסי מן רא אפיש אין סהל
عوضش دادن و حواله خواستن از جُداوندان ملك وگفت اين دنيאל بن
راوبين كو توس من را ايش اين سهل
- 10 ויוסף וסעיד בני ישראל בן יעקוב נוחו עדן היסת וראצי הום אפיש
ישומאן ביראן כו נביסיד ודרוסת כוניד
ويوسف وسعيد بني ישראל بن يعقوب هست وراضي هوم ايش شُمان بران
كو نيسيد ودرُست كُنيد
- 11 אברם פאן ודרוסת בוד כו ראצי בודום היסת כו ערן יאין דרהא
איסתאסום אזיר ידסתשאן ערן אין
اِبرم پان ودرُست بود كو راضي بُوْدَم هست كو عوض اين درها استاسُم
ازير دستشان عوض اين
- 12 דינאר פרמתום וסתסום כזה דינאר יקואמי יסלמאני וראצי בוד
וקנין סתסים אז דסת אין דניאל בן ראובין

דינאר פֿרוּכְטִים וּסְטִים 25 דינאר־קֹוֹאִם סֻלְטָאִי וְרָאִי בּוֹד וְקִנִּים סְטִים אֶז
דֶּסֶת אֵין דִּנְיָאֵל בֶּן רֵאוּבֵן

13 וְעִזְרִיהוּ מַעְרוּף פֶּא כֶּצָא פֶּא צֶאמָא סִיזִיד קִנִּים סְתָמִן פֶּא חֲקִי סִינִי
וְאִמְרִי חֹרֵב לְרֻצּוֹנוּ וְחֹאזֹתוּ וּבִטְלָא בִירֵד
וְעִזְרִיהוּ מַעְרוּף פֶּא בִּיגָא פֶּא צָאמָא סִיזִיד קִנִּים סְטִים פֶּא חֲקִי סִינִי וְאִמְרִי
חֹרֵב . . . וּבִטְלָא כִירֵד

14 אֵין דִּנְיָאֵל בֶּן רֵאוּבֵן וְעִזְרִיהוּ הֵר מוֹדְעִי עַד סוֹף כֹּל מַדְעִין וְנִבְיָשְׁתִּים
וְדֹאדִים פֶּא דֶּסֶת יִחְנֶה כֶּת יִשְׂרָאֵל בֶּן
אֵין דִּנְיָאֵל בֶּן רֵאוּבֵן וְעִזְרִיהוּ הֵר מוֹדְעִי וְנִבְשְׁתִּים וְדֹאדִים פֶּא דֶּסֶת חֲנָה
כֶּת יִשְׂרָאֵל בֶּן

15 יַעֲקֹוב נֹחוּ עַדִּין תֶּא בּוֹד אֹמֶרֶשׁ בּוֹיִשֶׁת וְחֹצֶת
תֶּא בּוֹד אֶז מֶרֶשׁ בּוֹיִשֶׁת וְחֶגֶת
עִזְרִיהוּ בֶּן אֲבֵרָהִם בֶּן עֶמְאֵר
סַעֲדָאֵן בֶּן דִּנְיָאֵל בֶּן סַעֲדָאֵן

TRANSLATION.

The following took place in presence of us witnesses, and our hand is subscribed to this Report, in the city of Hormshir, in the province of Khuzistan, when it was the first day of the month Shebat, Era of Contracts 1332. There appeared before us Hannah, daughter of Israel, son of Jacob deceased, and produced Daniel, son of Reuben, and Azariah known as Becheh. Then the aforesaid Hannah, daughter of Israel, spoke as follows: "This Daniel, son of Reuben, and my husband have been without my authority or permission, and robbed me and my brothers, and removed six pierced pearls, and sold the same for twenty-five dinars; this being my property and that of my brothers, Sahl, Joseph, and Sa'id, sons of Israel, son of Jacob deceased. Then said they to him concerning the matter: 'This is a bad thing thou hast done to lay hands on property wrongfully acquired: such conduct is theft and unlawful.' He answered: 'I did it under compulsion, being sore tried in heart and hand.' They said to him in answer: 'It is necessary for you, Daniel, son of Reuben, to give compensation and to ask the owners for permission to act as their agent. Then said Daniel, son of Reuben: 'My person is before Sahl, Joseph, and Sa'id, sons of Israel, son of Jacob deceased, and I assent before you to what you shall write and decide for me herein.' 'And the arrangement to which I agreed is that I should receive the worth of the pearls

from their hands; (it will be as though) I had sold them for those dinars and received 25 dinars of the royal coinage in exchange.' To this he agreed, and we took the money from the hand of the aforesaid Daniel, son of Reuben and Azariah known as Becheh, in a vessel suitable for the receipt of property: "by the laws of Sinai and the words of Horeb with his assent and consent." And the aforesaid Daniel, son of Reuben, resigned all claim for ever. And we wrote this and gave it into the hand of Hannah, daughter of Israel, son of Jacob deceased, that it be a plea and a proof as against him.

AZARIAH, son of Abraham, son of 'Ammar.

SA'DAN, son of Daniel, son of Sa'dan.

NOTES.

In the writing of this document it is not easy to distinguish 7, 7; 1, 1; 2, 2. Even in the middle of words the last two are written very like each other.

The vowel *u* is known to be a great favourite with the Persian Jews; this document seems, however, to surpass most others in the frequency of its introduction.

It will be observed that *j* was ordinarily pronounced *ch*, and hence is represented by ʒ; similarly, *p* has a tendency to oust *b*.

The letter ʒ seems to be prefixed to prepositions without affecting their sense. The connecting vowel is ordinarily written with the second member of the annexion.

1. The word *maḥḍar* is used very often for judicial report or decree.

2. *urdur*, which must mean "day," seems to be the Oriental Turkish *udur*, given by Pavet de Courteille. *miḥyan*, for "month" (singular) is surely a solecism.

3. *iḥḍira* seems to be an error for *iḥḍār*. The ʒ before "Daniel" seems to be euphonic, rendered necessary by the *rd* preceding *d*. Azariah is clearly Hannah's husband. The name *Becheh* means "the child," perhaps given him to distinguish him from the Azariah who witnesses this document.

4. *shud hist*, more correctly *shudah ist*, "has been," used as this phrase is in vulgar English, with the meaning "has gone."

5. The writer seems to mix his plurals and singulars; in this line *chid* has been corrected by some one into *chidand*, and *kand* ought to have been altered in the same way. *pā* seems to stand for *vā*. The word written *ṣuft* is read by Dr. Horn¹ *chuft*, meaning "pairs." I prefer to read it *suft*.

¹ Dr. Neubauer has in his possession a MS. translation of this deed by Dr. Horn; I have (with its author's permission) consulted it with profit.

6. *pirān* is interpreted by Dr. Horn, "the sheikhs." In line 10 it seems more naturally to mean *barān*, "concerning that," and I have therefore rendered it as the equivalent of that word throughout.

7. *kudyat* properly means "begging"; but in the lengthy descriptions of the profession which the writers of Maḳāmahs give us, it comes so near "theft" that there is no difficulty in rendering it so.

9. The word *aḥula* is clearly corrupt for *ḥawāla*. *tūs* is given in the Arabic and Turkish dictionaries with the meaning "nature, disposition, origin, race, family."

11, 12. This sentence is rather troublesome. It is probable that *durust-būd* is a compound meaning "agreement." Since "from their hand" of line 11 apparently refers to the same as "from the hand of Daniel and Azariah" in line 12, it would seem that Hannah must be speaking in line 11; and indeed the tenor of the document makes it necessary for her to say something somewhere. The words *istāsam*, *satsum*, *satsīm*, and *satsan*, may be all referred to the verb *sitādan*, "to take," of which a variety *sitāshtan* is quoted in the Persian dictionaries. The arrangement agreed on was that the transaction should be regarded as an ordinary purchase of pearls by Daniel from Hannah and her family.

13. The "suitable vessel" is regularly mentioned in these documents.

14. The formula *biṭṭūl kull mudda'a* occurs in other documents. In one in Arabic which precedes this in the same volume it implies that the purchaser has no further claim on the vendor, should he find the article damaged.

15. *būzishṭ* is incorrect for *pūzish*, "excuse." The Persian form of the Arabic *ḥijjat* renders it hard to recognize. *izmerish* may be compared with *izmera* of line 5; in that phrase *ra* is otiose, and in this its synonym *mer*, of which Jewish writers are fond.

D. S. MARGOLIOUTH.

"EUILAT" IN THE LXX.

THE Greek version of the Bible known as the LXX renders the Hebrew word עוֹלֵלָה in Gen. ii. 11 by Εὐλάτ. Jerome, the author of the Vulgate, follows their example, and also puts "Euilat"¹. This

¹ I used the edition of the Bible *Lutetiae Parisiorum*, 1645, and several more modern editions, without having found on this point any important variation. Josephus, *Antiquitates Judaeorum*, I, 6, 1, has in the table of nations only Εὐλάς δὲ Εὐλαΐους ἐκτισεν οἱ νῦν Γαιτούλοι (Getuli) λέγονται. (Cf. עוֹלֵלָה גֵּיתוּלִי from Yerahmel recently published by Neubauer, *J. Q. R.*,